

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) 2:13-CR-310-JCM-(CWH)
)
CHARLES HOFFMAN,)
a.k.a. Charles Joseph Hoffman,)
)
Defendant.)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on December 11, 2014, defendant CHARLES HOFFMAN, a.k.a. Charles Joseph Hoffman pled guilty to Count One of a One-Count Indictment charging him with Felon in Possession of a Firearm in violation of Title 18, United States Code, Section 922(g)(1). Indictment, ECF No. 1; Change of Plea, ECF No. 69; Plea Agreement, ECF No. 70.

This Court finds defendant CHARLES HOFFMAN, a.k.a. Charles Joseph Hoffman agreed to the forfeiture of the property set forth in the Forfeiture Allegation of the Indictment. Indictment, ECF No. 1; Change of Plea, ECF No. 69; Plea Agreement, ECF No. 70.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Indictment and the offense to which defendant CHARLES HOFFMAN, a.k.a. Charles Joseph Hoffman pled guilty.

...

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
2 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 3 1. a Davis Model P380, Silver Semi-Automatic handgun with an obliterated serial
4 number; and
- 5 2. any and all ammunition

6 (all of which constitutes “property”).

7 This Court finds the United States of America is now entitled to, and should, reduce the
8 aforementioned property to the possession of the United States of America.

9 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
10 United States of America should seize the aforementioned property.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
12 CHARLES HOFFMAN, a.k.a. Charles Joseph Hoffman in the aforementioned property is forfeited
13 and is vested in the United States of America and shall be safely held by the United States of America
14 until further order of the Court.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
16 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
17 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
18 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
19 name and contact information for the government attorney to be served with the petition, pursuant to
20 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
22 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
23 the validity of the petitioner’s alleged interest in the property, which petition shall be signed by the
24 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
25 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner’s

26 . . .

1 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
2 petition and the relief sought.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
4 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than
5 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
6 after the first day of the publication on the official internet government forfeiture site,
7 www.forfeiture.gov.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
9 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
10 following address at the time of filing:

11 Michael A. Humphreys
12 Assistant United States Attorney
13 Daniel D. Hollingsworth
14 Assistant United States Attorney
15 Lloyd D. George United States Courthouse
16 333 Las Vegas Boulevard South, Suite 5000
17 Las Vegas, Nevada 89101.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
19 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
20 following publication of notice of seizure and intent to administratively forfeit the above-described
21 property.
22

23 DATED December 23, 2014.

24
25
26

UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

I, Mary Stolz, Forfeiture Support Associates Paralegal, certify that the following individual was served with a copy of the Preliminary Order of Forfeiture on December 22, 2014, by the below identified method of service:

Electronic Filing

Rebecca A. Levy
Federal Public Defender
411 E. Bonneville Avenue
Las Vegas, NV 89101
Rebecca_levy@fd.org
Counsel for Charles Hoffman

/s/ Mary Stolz
Mary Stolz
Forfeiture Support Associates Paralegal